

Practitioner's Docket No. MPI97-057P1RCP1CNIM

U.S.S.N. 10/681,690

REMARKS

An Office communication mailed January 11, 2006 required restriction of the pending claims in the present application to twenty-one groups. In response, Applicant hereby elects Group X, claims 31, 31 and 56, drawn to purified NEDD8-conjugating enzyme 1, classified in class 530, subclass 350, with traverse. Applicant herein is canceling claims 1, 2, 4, 5, 7-9, 14, 23, 25-27, 33, 43, 44, 46, 47, and 49-51, drawn to non-elected subject matter. Applicant is amending claims 30, 31 and 56 and is adding new claim 59 drawn to the subject matter of Group X. Support for the amendment to claim 31 can be found in the specification at, for example, page 30, line 22 to page 32, line 20. Support for new claim 59 can be found in the specification at, for example, page 32, line 21 to page 32, line 14.

The Restriction is being traversed for the following reason. Group X is directed at an enzyme which typically comprises an amino acid sequence. At page 6 of the Office communication, it was noted that Group X is related to Groups XII, XIV and XV as product and process of use. However, Group XIV (claim 37) is a method for determining the presence of a nucleic acid molecule, and appears not to be related to Group X, but rather Group XI. Conversely, Group XIII (claim 36), which was stated to relate to Group XI, is a method to detect NCE1 protein and appears more properly to relate to Group X. While Applicant has withdrawn both claims 36 and 37, Applicant respectfully requests a reevaluation of the relationships among these groups. If the Examiner agrees with a switch of the relationships as Applicant describes, an indication of such in the next communication will be appreciated.

Applicant recognizes that the Examiner noted, on page 6 of the Office communication, the relationship between Group X and Groups XII, XIV and XV (or XII, XII and XV, if Examiner agrees with the above traversal) (claims 33, 34, 36, 37 and 38, drawn to methods using the enzyme of Group X) as a product and process of use. On page 8, the Examiner explained that withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claims can be rejoined with allowable product claims. Therefore, Applicant is withdrawing claims 33, 34, 36, 37 and 38 is submitting herein new claims 60-64 drawn to withdrawn Groups XII, XII and XV. Support for the new claims can be found in the specification as further illustrated herein. Such additional support for the new claims 60-64 can be found in the specification at, for example, page 33, line 16 to page 35, line 19, page 36, lines 3-21, and Examples 7 and 8, pages 44 and 45. Applicant respectfully requests entry of new claims 60-64 as withdrawn claims for future rejoinder if claims of Group X are found allowable.

In addition to the claim amendments, the specification has been amended to update the Related Application paragraph and to correct obvious typographical errors in a manner readily understood by one

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skilled in the art, who has reviewed the figures, the Brief Description of the Drawings, the paragraph at page 30, line 22 to page 31, line 21 and the sequence listing.

No new matter has been added. Claims 30, 31, 34, 36-38, 56 and 59-64 will be pending upon entry of the amendment.

Applicant hereby reserves the right to traverse the above restriction with respect to non-elected Groups I – IX and XI-XXI claims (canceled claims 1, 2, 4, 5, 7-9, 14, 23, 25-27, 33, 43, 44, 46, 47, and 49-51 and withdrawn claims 34 and 36-38) in this or subsequent applications.

This paper is being filed timely as a request for a two month extension of time is filed concurrently herewith. No additional extensions of time are required. In the event any additional extensions of time are necessary, the undersigned hereby authorizes the requisite fees to be charged to Deposit Account No. 501668.

Entry of the remarks made herein is respectfully requested.

11 April 2006

Respectfully submitted,

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